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Citizen Representatives

Melinda S. Marks
Executive Officer

250.20

STATE OF CALIFORNIA
Edmund G. Brown, Jr., Governor

MINUTES SAN JOAQUIN RIVER CONSERVANCY

Governing Board
Wednesday, June 7, 2017

Board Meeting Location:

Fresno Metropolitan Flood Control District Board Room
5469 E. Olive Avenue, Fresno, CA 93727

The following location was also open to Board members and the public for attendance via phone conference:

California Natural Resources Agency
1416 Ninth Street, Ste. 1311
Sacramento, CA 95814

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairperson Borgeas called the meeting to order at 10:02 a.m. and led the pledge of allegiance. He commented that this meeting would be adjourned in commemoration of the tragic recent drowning in the San Joaquin River of Neng Thao, of Fresno (see Adjournment, Item L).

A. ROLL CALL

Name	Present	Telecon- ference	Absent	Late
Mr. Andreas Borgeas	X			
Mr. Brett Frazier	X			
Mr. Steve Brandau	X			
Mr. Will Oliver	X			
Ms. Barbara Goodwin				10:07
Mr. Carl Janzen		See below		
Ms. Julie Alvis	X			
Ms. Julie Vance	X			
Mr. Kent Gresham				11:20
Mr. John Donnelly	X			
Ms. Jennifer Lucchesi	X			
Ms. Karen Finn				11:20
Ms. Bryn Forhan	X			
Mr. Paul Gibson	X			

Mr. Janzen listened to the meeting by phone from a location other than the location on the notice; he was not part of the quorum or eligible to vote. Mr. Crow confirmed he could participate in discussion.

Ms. Wright confirmed that a quorum was present.

[Mr. Gresham and Ms. Finn were not able to connect with the conference call until later in the meeting.]

Legal Counsel Present: Michael Crow, Deputy Attorney General

Staff present: Melinda Marks, Executive Officer
Rebecca Raus, Associate Governmental Program Analyst
Janah Wright, Staff Services Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board

B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

Chairperson Borgeas stated that the Kings River will be closed for sixty days to protect public safety. There was discussion by the Fresno County Sheriff's Department to close the San Joaquin River as well; they would work with the Madera County Sheriff's Department.

Public Comment:

Mr. Radley Reep, a Fresno resident, suggested that the goals in the proposed Master Plan Update should be numbered to make it easier for commenters to reference them.

Ms. Sharon Weaver, Executive Director of the San Joaquin River Parkway and Conservation Trust, complimented the Wildlife Conservation Board on the conduct of their meetings and on the WCB's focus on its conservation mission. She shared photographs from a field trip for sixth graders from Madera Unified School District, noting how engaged the students become.

Mr. Jim Cobb, representative of the Tax Payers' Association of Central California, described his involvement in the early development of the San Joaquin River Conservancy. Public access to the river is key issue at this time. When Highway 41 was widened, an off ramp was provided for public access to Cobb Ranch, with funding assistance from Mr. Cobb. Mr. Cobb has been providing public access to the river near his home. The adjacent property owner sued Mr. Cobb to stop the public from using a road on the property to access his site. Mr. Cobb disputes the location of the State's high and low water marks, and believes that if those lines were adjusted, public access would be legally required across the neighboring property. He requested the Board's consideration of this issue as an action item on the agenda for the next Board meeting. He noted that the issue is presented on the Tax Payers' Association website.

Chairperson Borgeas stated that Mr. Cobb's issues could be agendaized in the future to be discussed further.

C. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

There were none.

D. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may now identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

There were none.

E. MINUTES

E-1 Approve Minutes of May 3, 2017

It was moved by Mr. Oliver and seconded by Mr. Frazier to approve the minutes of May 3, 2017, as presented. The members unanimously passed the motion as follows:

ROLL CALL TO VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		
Mr. Steve Brandau	X		
Mr. Will Oliver	X		
Ms. Barbara Goodwin	X		
Ms. Julie Alvis	X		
Ms. Julie Vance	X		
Mr. John Donnelly	X		
Ms. Jennifer Lucchesi	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

F. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

There were none.

G. DISCUSSION

G-1 Amended: Update on the City of Fresno's Workplan for Conducting Supplemental Analyses of Route 5B to Incorporate in the River West Fresno, Eaton Trail Extension Environmental Impact Report

Staff Recommendation: Staff was requested at the May 3 meeting to report back on the City of Fresno's work plan, including the scope of services and the schedule.

Chairperson Borgeas introduced Bruce Rudd, Fresno City Manager, to provide an update on the City's progress.

Mr. Rudd stated that Scott Mozier, Director of Public Works, and a representative from Blair, Church, and Flynn Consulting Engineers were with him to answer questions. He reported that the consultants' scope of work was negotiated with the Conservancy Executive Officer and they are ready to proceed immediately. The private property owner, Mr. Spano, has granted access to the Spano property to immediately begin assessments. If the engineering study shows that option 5B is a viable alternative then there will be a need to recirculate the Draft Environmental Impact Report (EIR). They are refining a quote received from AECOM to perform the environmental analyses, and it is likely the proposal will need to be presented to the City Council for authorization. He added that the City proposes to provide some additional analyses of the parking needed for the proposed Project.

Board Comments:

Chairperson Borgeas stated that the timeframe is still on the track to meet the Conservancy's needs and that the Board will be anticipating another update from the City in August. The City is willing to fund not only the engineering study, but also the environmental analyses and other costs to recirculate the revised Draft EIR.

Ms. Marks stated the scope of work for Blair, Church and Flynn was as described in the staff report. In addition, the City requested AECOM to provide a scope and a budget for preparing the revised Draft EIR and responding to comments. Mr. Mozier is experienced with capital projects and understands the additional work that is needed; he is working with AECOM to secure those services. Everyone on the team is prepared to work hard to meet the timeframe.

Upon inquiry from Ms. Vance, Mr. Rudd stated that the City proposes to reevaluate the parking suitability for the entire project.

Ms. Vance asked whether the Conservancy proposes to recirculate the Draft EIR.

Mr. Borgeas stated that recirculation may not be necessary, but it is probably prudent to do so.

Mr. Crow stated that for a significant issue such as Alternative 5B, the California Environmental Quality Act (CEQA) arguably requires circulating a revised Draft EIR.

Ms. Vance expressed concern about the constraints relating to Alternative 5 that were identified in the Draft EIR; these constraints would be similar for an Alternative 5B. The identified constraints could not be resolved quickly.

On inquiry from Mr. Borgeas, Mr. Rudd explained that he felt parking should be analyzed for all the options, not just the new alternative.

Ms. Vance stated that it was her understanding that the Draft EIR contained an analysis of parking needs, and requested Mr. Young to explain.

Mr. David Young, of AECOM, responded that as a result of extensive public scoping initiated by the City in 2008, the size of the parking lot at the proposed Perrin Avenue access was planned to be fifty parking spaces with three additional stalls for horse trailers.

Ms. Marks added that the scope and design of the proposed project was developed by the City when it was the project manager and lead agency. The consultant should size the proposed 5B parking area to accommodate expected visitation. The Conservancy will respond to comments received about the parking capacity in the Final EIR.

Mr. Gibson asked Ms. Marks if the issues regarding the City's proposal discussed previously have been properly addressed.

Ms. Marks responded that, although she has not seen the scope of work the City is requesting from AECOM, Mr. Mozier understands the needs and requirements and the City is heading in right direction.

Mr. Gibson asked if it was still possible that Alternative 5B could become a subsequent addendum instead of circulating a revised Draft EIR, if the Board wants to study option 5B, but is concerned about circulating a revised draft.

Ms. Marks confirmed that it is a viable option, and a way that CEQA accommodates later elements that might be added to the River West site consistent with the Parkway Master Plan.

Mr. Gibson suggested the Conservancy, City, and other possible partners should start meeting to figure out how to provide operations for the project. Public access could be limited at first and evolve to provide broader services.

Mr. Rudd stated that the City and the Mayor would support and welcome engaging in discussions and creating an operations plan. There are many examples (parks, stadiums, etc.) where public assets are not adequately supported over the long term.

Mr. Oliver noted the proposal from the City to date would cover the feasibility analysis, and asked Mr. Rudd to clarify whether the City's proposed agreement with AECOM would cover the outstanding tasks: the environmental impact analysis, recirculation, response to comments, and peer review to ensure technical consistency. He also asked whether it is realistic for the City to conduct the entire Alternative 5B analysis by August.

Mr. Rudd answered that City staff is working on a proposed scope of work with AECOM that includes those tasks, to be presented for approval by the City Council, and commented that they are accustomed to working under tight timelines.

Mr. Mozier confirmed that he has been in close communications with Ms. Marks and AECOM, and is very familiar with the EIR process and CEQA requirements. They will be able to complete the analysis for Alternative 5B by the deadline, beginning the new public review period about the middle of August.

Mr. Oliver asked if there are any additional Conservancy costs for staff level or legal counsel.

Ms. Marks responded that there would be added staff time and some additional costs. This would be absorbed within the regular course of business; the primary cost would be postponement of other projects. Legal costs have increased and the Conservancy was successful in getting a budget increase in the proposed FY 17/18 budget that should cover the added costs. The City's proposal is not free, but the costs should not get in the way of proceeding in cooperation with the City.

Ms. Goodwin mentioned that she was concerned about ensuring the project moves ahead to meet the Conservancy's needs. She appreciates the City's effort to plan for the future; however, we must be sure this proposal does not hinder the completion of the Conservancy's environmental review project.

Ms. Vance stated her support for future efforts to develop operations and maintenance resources. However, approval of the EIR will not at that time approve funds to build the project. The EIR is a study

that, upon certification, would allow for project funding to be awarded in the future. Approval of the EIR and awarding project funding are separate decisions.

Ms. Lucchesi asked about the relationship between the City, their engineering study, AECOM, and the Conservancy as lead agency. The Conservancy's oversight of AECOM's work products must be independent. Ultimately the Conservancy will be responsible for the EIR and held accountable for any legal issue.

Mr. Crow added that the City's relationship with the Conservancy should be memorialized in an agreement to recognize everyone's roles.

Ms. Lucchesi suggested perhaps the contract between the City and AECOM could acknowledge the Conservancy's role.

Mr. Borgeas added that the agreement would include a provision regarding conflict of interest.

Mr. Frazier commented that although the Conservancy may be agreeing to study the 5B option, that does not necessarily mean that the alternative will be approved. The Board would continue to have the other options for access points. The City is trying to find an outcome that satisfies its constituents. The City's ability to work so quickly to move this proposal forward is a testament to their organization. This proposal provides more options and possibilities for more access. He will be considering what is best for the public, best for the project, and best for the taxpayer.

Ms. Forhan requested staff to provide a written update in July since there will not be a Board meeting and the timeline is so tight. She expressed her appreciation that so many people are engaged in discussion about the Parkway, and noted that the local agencies' engagement is essential to success. The Conservancy was formed to bring state and local agencies and citizen representatives together to develop the Parkway. She was pleased to see the engagement of the City at this juncture and is hopeful that the City's greater involvement will continue as the agencies move forward. She hoped the constituents recognized the need for collaboration. The Parkway is a tremendous regional asset. Her goal is to be sure access to the river is developed, and that the City and all the agencies come together to be sure the Parkway is completed in our lifetime.

Ms. Marks reported that Ms. Finn and Mr. Gresham had been unable to connect to the phone conference to participate in the meeting. They joined the meeting at 11:20 a.m. Mr. Brandau commented on the audio problems for Board members participating remotely.

Mr. Brandau asked Mr. Karl Kienow, with Blair, Church, and Flynn, and Mr. Young a number of questions to confirm they were confident that they would be able to complete the required work within the time limitations. They responded affirmatively.

Mr. Mozier commented that the project will be a collaborative effort between Blair, Church, and Flynn, AECOM, the City, and Conservancy staff.

Mr. Brandau commented that the City's effort has been mischaracterized in the press. He stated that the City has chosen to study what may be the best location for the access to the river. The City and all of the partners are heavily committed and invested in this project.

Public Comments:

Mr. John Mlotkowski, a forty-five year resident of Fresno and twenty-five year resident of Madera, stated that he has been involved in river and Parkway issues as much as possible over the years. He

is looking forward to the river access to be provided by this project. The project can move forward, and additional parking and access could be planned later. The City should have been involved in this project earlier and the Board should make sure this proposal should not result in a delay for the entire EIR.

Ms. Sharon Weaver, San Joaquin River Parkway and Conservancy Trust, reviewed the background of the project. As of 1999 the Parkway Trust had secured four million dollars from the Packard Foundation to help purchase Spano River Ranch. The Trust also assisted with writing the grant proposals for public funds for the Conservancy to buy the property, which was purchased for \$10 million dollars total. Access to the property was provided at two public streets, Riverview Drive and the Perrin Alignment. In 2004, the Parkway Trust received a private donation to develop the first conceptual plan for public access, which was presented to the Conservancy Board. In 2007, the City received a grant from the Conservancy to plan for public access to the site. In 2008, the City held public workshops, and at a public meeting some neighbors threatened to sue if the project was approved. The River West property remains an important public investment for developing the Parkway. The City was the manager of the project for many years and there have been many opportunities to review every access point. She stated her belief that the proposal for more studies is a delay tactic. The City has said on many occasions that there is no money to develop new parks, yet they are willing to spend funds on these studies.

Mr. Cliff Tutelian, Park Place Holdings and Tutelian and Company, commented that as a developer, he is highly interested in the proposed project and the collaborative effort. He stated that without the commitment of the Parkway Trust and Conservancy, there would not be progress toward a river parkway. However, the agencies need to gather information and not lose sight of the concerns, and mitigating the concerns, of those potentially affected. His shopping center, for instance, is an investment that must be protected. To date, no funds have been identified by any of the agencies for operations. The residents do not want strangers parking in the neighborhoods, litter and debris, or their quiet enjoyment disturbed. At Park Place there has been vandalism, graffiti, and break-ins. The Board should review the planned parking for the project. He encouraged the Board to continue to involve the City and its citizens, and to consider how to mitigate the public's issues with thorough planning.

Ms. Clare Stevens, a resident of Fresno, registered her concern about maintaining the timeline for the project. Fourteen years after the property was acquired for the Parkway it remains closed for public use.

Mr. Tom Bohigian, a resident of Fresno, expressed his continued concern about meeting the timelines for the project. He understands that things take time, but there needs to be a commitment to make progress and complete the project. The community needs to step up and move forward on planning, make progress on finding operations resources, and complete the project in a reasonable timeframe. He pledged that he would work to raise private money to contribute to operations and maintenance. He is willing to do that to benefit the people of the area and of all of California, and in a timely fashion. He challenged the partners to build this project within three years.

Mr. Benjamin Aparicio, a park host at Sycamore Island and employee of the Parkway Trust, pointed out that the public is using and enjoying the river every day, but improvements are need to make this use clean and safe. Any parking on the project site would be better than the situation occurring now.

Mr. Chris Acree, cultural resource analyst for the Dumna tribal government, has submitted comments on the Draft EIR. There are archeological and cultural resources on the project site. He encouraged the Conservancy to consult with the tribal government and noted that AB 52 requires consultation with

tribal entities. (Mr. Acree initially stated that the tribe was not consulted for this project, and then later corrected his statement, noting that they were in fact consulted.)

Mr. Mike Claiborne, attorney at Leadership Counsel for Justice and Accountability and resident of Fresno, stated that his organization advocates for low income and disadvantaged communities of color in Fresno County, Fresno City, Madera County, and Madera City. Their interest in this project is to ensure equal access to the river and reduce travel for residents of Fresno. The Draft EIR presents a reasonable range of alternatives, including alternatives that would provide increased access. He echoes comments that the Conservancy should move forward; there is no reason to review alternatives again. He encouraged the Board to take action on the existing EIR at the August meeting. This should be on the agenda in case the City's work cannot be completed within the time limitations.

Ms. Anna Wattenbarger, a Madera resident, commented that she was happy the proposed project would provide parking access from Highway 41, convenient for Madera County residents. As a Parkway supporter and member of the Parkway Trust Board she was concerned that the proposed project did not also include access from the public road in Fresno. Riverview Drive was designed to accommodate traffic from a large subdivision planned in the past at the River West site. She urged the Board to place approval of the project on an agenda sooner rather than later, and expressed concern that it might be difficult to schedule Board meetings in November and December due to holidays.

Mr. Ted Morgan, a Fresno citizen, stated that he hoped that the perception that Board members are more concerned about specific constituents than the general public and rumors about delay tactics are not true. He would like to see this project completed with no further delays. If the December deadline passes without something being approved there will be many upset citizens.

Mr. Cobb, a Madera resident, made reference to his experience providing public access to the river at Cobb Ranch, and stated that the proposed project needs to be approved, even if there are only forty parking spaces. The Parkway will need docents to take care of the project and to educate the public.

Mr. Radley Reep, a Fresno resident, shared his concern that the Conservancy currently has a good, defensible EIR. If the City's additional data or environmental impact analysis are inconsistent with the existing Draft EIR, then it will generate problems. The City and staff should make sure the consultants are ready to handle such issues.

Ms. Mary Savala, a citizen involved early in organizing to protect the riverbottom and former member of the Conservancy Board, noted that access points to the river were a key part of the Parkway planning. There has been a huge investment in developing the Parkway, not only of public dollars, but of private funds as well. She expressed her concern that the City stepped in very late to argue about better ways to provide public access for the proposed project and that these actions could sabotage public access completely. She urged the Board to come to a vote and come to a decision right away.

Dr. David Grubbs, a Fresno resident, has been involved in the Parkway and River West for many years. He is not opposed to option 5B, and would be in favor of it if it would satisfy the nearby commercial landowners. His primary concern is that the Palm and Nees access is not enough for access to the project, and amenities such as boat launches are not included. He did not express confidence in the City because when they were in charge of the planning project in 2011 they scaled back the project. The project should be for everyone—schools and clubs, etc.—not just pedestrians and bikers. Mr. Grubbs urged the Board to approve Alternative 1, and to approve Alternative 5B later if it comes to fruition.

Board Comments:

Ms. Vance asked Mr. Tutelian to elaborate on the concerns he has about Alternative 5 having impacts to his shopping center. She noted that businesses are benefiting from being near the new Friant Interactive Nature Site (FINS) at the Fish Hatchery in Friant. Also, Woodward Park and the Eaton trail draw customers to the nearby businesses. If there was a river access trail near Palm Bluffs it would draw customers. It seems as though access to the project near his center would be an amenity.

Mr. Tutelian responded that an adequate amount of parking should be determined so that visitors do not burden the nearby properties. Due to budgetary challenges, there are negatives associated with fire and public safety. Visitors to Woodward Park do not park in the commercial parking areas because they are too far from the park. Woodward Park attracts law-abiding citizens that are complimentary to commercial centers. The river attracts criminal activities; he has experienced vandalism, threats of violence, marijuana use, and homeless people at the river near his property—these people offend his clients. The Parkway must plan to support activities that attract the desired visitors—school activities, an equestrian center, canoeing, etc. The Conservancy must encourage visitors that are complimentary to the area, and build parking and hours of operation around those activities and visitors. The project needs some commercial activity. He recognized the progress achieved by the River Parkway Trust and the Conservancy. He noted that the public access easement on his property will not support the traffic generated by the proposed project. If the property is left the way it is then there will be growth of homelessness and criminal activity.

Ms. Vance commented that the negative activities will not go away if the property is left as it is, undeveloped and unmanaged. They will not go away unless the Final EIR is approved for the proposed project and the site is developed and managed for public open space. A property that is closed primarily attracts people who are willing to trespass to do what they want.

Mr. Tutelian stated that he is in favor of option 5B because it's the most effective. Alternative 5B would take traffic from a signalized intersection and could provide parking on a landfill area that is valueless for other uses. Success means bringing in people, and it could mean commerce, such as a snow cone stand. The project should also include developed equestrian uses to generate funds and reduce the economic burden of providing operations and patrols. The project will need police, fire protection and other safety services. He stated that by planning for various activities the Conservancy could build in security for the project. These plans could move forward without delaying the EIR process and could build consensus among the stakeholders.

On Ms. Vance's inquiry, Ms. Marks confirmed that this is a project-specific EIR; the Board would consider certifying the EIR and approving the proposed project and any alternatives. After the Conservancy has ensured long term operations and management resources, funds for construction could be authorized by the Board. Eventually, the Board could also tier from the River West Fresno EIR and Parkway Master Plan EIR to develop future elements.

Ms. Lucchesi asked if there was a timeframe for when the City will submit the feasibility engineering analysis, so AECOM and the Conservancy can present the administrative draft August 9th and complete the environmental study for public release by August 16th.

Mr. Mozier stated that the City intends to meet that timeline. AECOM will complete an administrative draft for review at the end of July.

Ms. Lucchesi stated the importance of the Conservancy maintaining its independent integrity and control over the environmental analysis. The City can produce the engineering analysis, but the administrative draft of the revised Draft EIR must be developed by AECOM under the oversight of the Conservancy.

Ms. Marks responded that although the Conservancy will not have a contract with AECOM for this part of the work, the City will defer the oversight of preparation of the administrative revised Draft EIR to the Conservancy staff. The City has been collaborative and cooperative.

Ms. Lucchesi expressed concern about rushing through the Final EIR in order to vote before the end of the year. The EIR must be as strong and defensible as possible. There is no legal obligation for the Conservancy to pursue the revised Draft EIR to add the new alternative. This is an accommodation the Conservancy is making to allow the City to pursue this proposal. There should be specific dates for when the City and AECOM will submit their analyses for public release, in order to manage expectations. From a State Lands Commission perspective, the agency is involved throughout the state in increasing and improving public access to waterways and coastlines in an equitable and inclusive way. Bad actors may behave badly, but that should not stop efforts to complete this project, including in the future developing funding for operations, maintenance, and public safety.

Mr. Gibson thanked the public who participated in the meeting. He thanked Mr. Aparicio and the park hosts at Sycamore Island. He stated if anyone wants to witness the future management of River West then they should visit Sycamore Island, and see how well it is managed and how wonderful the visitors are. Even while the water is at dangerously high levels in the river, they are providing for safe boating on the ponds at Sycamore Island.

Mr. Frazier summarized that much of the discussion and concerns have been about meeting the Conservancy's tight timeframe. He asked if the City is not ready in August, can consideration of the EIR be placed on an agenda and move forward.

Ms. Marks stated that, if the City's proposal proves unable to meet the deadlines, it would be appropriate to get back on the track to complete the original EIR. Due to the time spent on this new effort, the Final EIR would not be ready by August. In August the Board will hit a fork in the road: either accept and circulate the revised Draft EIR, or direct staff to return its time and attention to completing the original EIR as soon as is possible.

Mr. Borgeas emphasized that if there are any concerns along the way about the City's work or timeframe, the concerns should be conveyed immediately to the City and the consultants. There are many people involved in this, and we need to respect their efforts.

Ms. Marks responded that there have been good communications between the Conservancy and the City Manager and the Public Works Director; they are all proceeding with the understanding that there will be a full CEQA analysis of Alternative 5B and not just a feasibility study. A board briefing report will be sent to the Board and posted on the website in July as requested by Ms. Forhan, and the Board will be able to determine if it accepts the revised Draft EIR for recirculation in August. She suggested the Board meet August 9th instead of August 2nd to allow time to prepare the documents.

Mr. Borgeas polled the Board and determined a quorum will be present if the meeting is held August 9th.

On inquiry from Ms. Vance, Mr. Borgeas directed that if the Board has any questions about the process or the Board briefing report, they should be directed to Ms. Marks.

G-2 Authorize Bond Funds to Augment a Grant to River Partners for the Habitat Restoration Project on the City of Fresno's Riverbottom Park Property and the Conservancy's Schneider Property

Staff Recommendation: It is recommended the Board approve an augmentation of \$193,155 in bond funds for an existing project to provide habitat restoration on 147 acres located on the City of Fresno's Riverbottom Park property and the Conservancy's Schneider property. The augmentation would bring the total project contract with River Partners to \$897,605 to complete the restoration. Wildlife Conservation Board (WCB) authorization would be requested at their August 2017, meeting.

Ms. Marks stated that staff was prepared to answer any questions the Board had; information was presented in the staff report.

It was moved by Mr. Brandau and seconded by Mr. Frazier to approve staff's recommendation for Item G-2.

Public Comment:

Mr. Louis Moosios, and landowner and river guide, asked whether the project would continue to use herbicides or would use manual weed control.

Mr. Jeff Holt, of River Partners, confirmed that herbicides and hand labor are used during the plant establishment period. He would answer any further questions Mr. Moosios had after the meeting.

Mr. Acree, a volunteer for Revive the San Joaquin, noted that they had been involved in the development of the proposal for a restoration grant. Since Revive did not have the required insurance to be the lead grantee, the grantee was River Partners. River Partners subcontracted with Revive to provide services. Revive is in a contract dispute with River Partners, and claims for reimbursement have not been paid. They tried to have Wildlife Conservation Board (WCB) mediate the dispute, but WCB will not perform that role. He thought the Conservancy could mediate the dispute; Revive's only recourse is legal action.

On inquiry from Mr. Borgeas, Ms. Marks confirmed that the Conservancy approved funding for the grant to River Partners, and does not have a contractual relationship with Revive the San Joaquin. Mr. Borgeas stated that it does not appear the Conservancy has legal standing to become involved in the dispute.

Ms. Forhan stated that she didn't feel comfortable approving Item G-2 after the dispute was brought to the Board's attention.

Ms. Marks reported that she researched the issue. The Conservancy Board authorized a grant to River Partners and did not commit to any specific role or sub-grant with Revive the San Joaquin. The resulting grant from WCB to River Partners does not specify work for Revive the San Joaquin. This dispute has been ongoing for several years, and she has spoken with project managers on both sides. The dispute is internal to the parties; there were misunderstandings about the scope of Revive's work and its independence to carry out work. She recommends that the Conservancy should not be side-tracked over their dispute. She stated that the need for the augmentation is well documented, River Partners has achieved good success, and the cost per acre restored is relatively low. The project will run out of funds for irrigation by August, therefore the augmentation is very time sensitive.

Mr. Donnelly noted that WCB's grant is with River Partners. WCB does not have an obligation to step in with regard to a dispute between a grantee and its subcontractor. He did not believe there was a legal issue with regard to the proposed action, but would look into it upon return to his office.

Mr. Frazier noted that without continued irrigation in August, all of the investment will be wasted and the plants will die.

Mr. Acree again stated that he participated in the process to secure the funding for the project, and feels he was misled into thinking that Revive the San Joaquin had a partnership with River Partners to implement the project.

Ms. Finn left the conference call prior to the vote.

The voting members passed the motion by majority vote as follows:

ROLL CALL TO VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		
Mr. Steve Brandau	X		
Mr. Will Oliver	X		
Ms. Barbara Goodwin	X		
Ms. Julie Alvis	X		
Ms. Julie Vance	X		
Mr. Kent Gresham	X		
Mr. John Donnelly			X
Ms. Jennifer Lucchesi	X		
Ms. Bryn Forhan		X	
Mr. Paul Gibson	X		

Mr. Borgeas and Mr. Brandau left at 12:30 p.m.

- G-3 Authorize a Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration (Proposition 1) Grant to the Department of Water Resources for an Off-Stream Recreational Fishing Public Access Project at the Conservancy's Sycamore Island

Staff Recommendation: It is recommended the Board approve \$1,606,627 in Proposition (2014) bond funds and a grant agreement with the California Department of Water Resources (DWR) to implement the Sycamore Island Fishing Pond Enhancement Project. Wildlife Conservation Board (WCB) authorization would be requested at their August 2017 meeting.

Ms. Raus reported that the proposed project would include a boat-launching and fish-stocking ramp, an ADA-accessible path and fishing pier, an improved parking lot, and a restroom on a pond at Sycamore Island. The total project cost is approximately \$1,962,058; DWR is requesting \$1,606,627 and they will contribute \$187,000. The Department of Fish and Wildlife (DFW) will provide in-kind services totaling approximately \$223,431. The project will help accomplish an important component of the San Joaquin River Restoration Program by providing off-stream recreational fishing. The project is also consistent with the Parkway Master Plan objectives, including habitat conservation and enhancement, public access, and recreation.

Public Comment:

Mr. Moosios commented that approving the grant project is great idea to improve the fishing ponds. He asked some questions about the location and function of the proposed French drains. Ms. Erica Myers, with DFW, confirmed the French drains were designed as Mr. Moosios suggested.

It was moved by Mr. Gibson and seconded by Ms. Forhan to approve staff's recommendation for Item G-3. The voting members unanimously passed the motion as follows:

ROLL CALL TO VOTE:

Name	Yes	No	Abstain
Mr. Brett Frazier	X		
Mr. Will Oliver	X		
Ms. Barbara Goodwin	X		
Ms. Julie Alvis	X		
Ms. Julie Vance	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Ms. Jennifer Lucchesi	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

H. ADMINISTRATIVE AND COMMITTEE REPORTS

If time allows, the following oral reports will be provided for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

Ms. Weaver shared that The Big 5K Run was going to take place that evening at the River Center sponsored by Fleet Feet.

H-1b RiverTree Volunteers

H-2 Deputy Attorney General

There was no report.

H-3 Executive Officer

There was no report.

H-4 Board Members' Reports

There were no reports.

I. EXECUTIVE SESSION

None.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

None.

K. NEXT BOARD MEETING DATE

There is no meeting scheduled for July 2017. The next meeting of the Board is scheduled for a Wednesday in August. Please check www.sjrc.ca.gov for the final meeting date and agenda.

L. ADJOURN

Mr. Frazier adjourned the meeting at approximately 12:46 p.m.

The Board adjourned in memoriam and commemoration of Neng Thoa, of Fresno, an 18 year old honors student at Edison High School and member of the City of Fresno Youth Commission, who drowned on the San Joaquin River on May 20, 2017.

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact Rebecca Raus at (559) 253-7324 or Rebecca.Raus@sjrc.ca.gov.

Respectfully Submitted,



Melinda S. Marks, Executive Officer